

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ERIC DONALD STROUD,)
Plaintiff,)
v.)
CONNOR CONCEPTS, INC.,)
Defendant.)
Case No. 3:09-0895
Judge Trauger

ORDER

For the reasons expressed in the accompanying Memorandum, the defendant's Motion to Dismiss for Failure to State a Claim (Docket No. 5) is **DENIED** and the plaintiff's Motion for Leave to Amend and Restate Complaint (Docket No. 11) is **GRANTED**. The plaintiff shall file either an Amended Complaint or an explanation for any continued delay in filing within 10 days of the date of this Order.

It is so ordered.

Enter this 2nd day of December 2009.

ALETA A. TRAUGER
United States District Judge